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Letter dated 29 September 2005 from the Permanent Representative of Uganda to the United Nations addressed to the President of the General Assembly

I have the honour to enclose herewith the text of the written statement of the delegation of the Republic of Uganda in exercise of the right of reply to the remarks made by H.E. Mr. Atoki Ileka, Permanent Representative of the Democratic Republic of the Congo on 23 September 2005 in the General Assembly.

I should be most grateful if you could arrange to have the text of the present letter and the annexed statement circulated as a document of the General Assembly under agenda item 8.

(*Signed*) Francis K. **Butagira**
Ambassador
Permanent Representative

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Annex to the letter dated 29 September 2005 from the Permanent Representative of Uganda to the United Nations addressed to the President of the General Assembly

Statement of the delegation of the Republic of Uganda in exercise of the right of reply to the remarks made by the Permanent Representative of the Democratic Republic of the Congo in the General Assembly on 23 September 2005

The Ugandan delegation's attention is drawn to the right of reply delivered by the Permanent Representative of the Democratic Republic of the Congo to the United Nations, H.E. Mr. Atoki Ileka, on Friday, 23 September 2005 in the General Assembly.

H.E. Mr. Atoki Ileka was making reference to the statement delivered to the General Assembly by the Hon. Sam Kutesa, Minister of Foreign Affairs of the Republic of Uganda, on 21 September 2005. With due respect to H.E. Mr. Atoki Ileka, his right of reply went beyond the bounds of civility. He demonized the political leadership of my country. Unfortunately, the problems of the Democratic Republic of the Congo will not be solved by emotional outbursts but by sober minds. Uganda like any other neighbouring country has a legitimate interest in the stability of the Democratic Republic of the Congo, if anything because it also impinges on our own stability. It is out of this concern, and also in the spirit of friendship, that it proffered its advice on how the international community can move the peace process in the Democratic Republic of the Congo forward, especially in the eastern part which borders our country. His Excellency the President of the Republic of Uganda offered similar advice when he met the Secretary-General of the United Nations, Mr. Kofi Annan, on the sidelines of the High-level Plenary Meeting of the General Assembly on 13 September 2005. He did the same in his letter dated 22 August 2005 addressed to the President of the Security Council. In essence, the advice was along these lines — efforts should be made to integrate leaders of the militia in the Government of National Unity; there should be provisional immunity extended to the various rebel groups so as to ensure immediate peace, and this is not to condone impunity. Once peace and stability are established, justice can be pursued later. His Excellency gave the example of Burundi, where this experiment seems to be working well. Otherwise, if justice was to be the primary concern, the entire political leadership would be in jail, with dire consequences to political stability. History provides examples. If during the Nuremberg trials, all Nazi criminals were to have been pursued at the expense of other considerations, chaos would have ensued. Instead, Germany had to be concerned first with feeding its own people. Justice and democracy would be pursued later where necessary. To some extent Japan and Eastern European countries after the fall of communism followed the same path. One has to make a delicate political decision whether to pursue justice at any cost or to extend immunity to known criminals so as to buy peace for the time being. With regard to elections, Uganda was cautioning against the danger of rushing to elections when conditions are not ripe for this; for instance, when vital institutions of government are not yet in place and effective.

The Ugandan delegation wishes to bring to the attention of this assembly one thing. On 13 June 2005, some Congolese militia leaders entered Uganda. Our

Government declared them personae non gratae. The option of handing them over to the Government of the Democratic Republic of the Congo could only apply if there was a regional process in which all the regional countries are involved as has been the case in the Burundi Peace Process. The only two parties involved in the Democratic Republic of the Congo now are the Transitional Government and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). Uganda would not like to involve itself in the internal affairs of the Democratic Republic of the Congo beyond fulfilling its international obligation of declaring these people personae non gratae. Otherwise such actions may create a vendetta between us and the tribes neighbouring Uganda.

Finally, it would appear, Mr. President, that the statement by the Permanent Representative of the Democratic Republic of the Congo was totally out of tune with events in the region and one hopes it is not a reflection of his Government's stand. On a bilateral level, Uganda and the Democratic Republic of the Congo are working closely together to address outstanding problems. The Vice Presidents of the Democratic Republic of the Congo have recently been to Uganda to further consolidate the emerging atmosphere of mutual trust between the two countries. The army commanders of both countries are in constant contact, both directly and through MONUC. An intelligence-sharing mechanism exists between the two countries and a regional intelligence fusion cell is about to be launched with the assistance of the United States. The Ugandan delegation would like once more to emphasize that what the region needs now is sobriety and not sabre rattling.